

WHITLEY COUNTY PLAN COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, JULY 17, 2019, 7:00 P.M.

MEMBERS PRESENT

Elizabeth Deckard
Thor Hodges
John Johnson
Mark Mynhier
Joe Wolf
Brad Wolfe
John Woodmansee
Doug Wright

MEMBERS ABSENT

Tom Western

LEGAL COUNSEL

Dawn Boyd

STAFF

Nathan Bilger
Amanda Thompson
Mark Cullnane

VISITORS

Twenty-three visitors signed the guest list at the July 17, 2019 Whitley County Plan Commission meeting. The original guest list is kept on record in the Columbia City/Whitley County Planning & Building Department.

CALL TO ORDER/ROLL CALL

Mr. Wright called the meeting to order at 7:02 P.M. and led the Pledge of Allegiance. Ms. Thompson read the roll call with all members present and absent listed above.

CONSIDERATION AND ADOPTION OF THE JUNE 19, 2019, MEETING MINUTES

Mr. Wright asked if the June 19, 2019 regular meeting minutes had been completed. Mr. Bilger responded that the minutes for the June 19, 2019 regular meeting had not yet been completed.

STAFF COMMUNICATIONS

Mr. Bilger introduced Mr. Cullnane, a new hire in the Columbia City/Whitley County Joint Planning and Building Department.

Mr. Bilger discussed the status of the Cardinal Creek Subdivision. The petitioner, Granite Ridge Builders DBA Cardinal Creek Development, requested that the County Commissioners grant a continuance of its rezoning request. On July 15, the Commissioners continued the rezoning request until the petitioner is able to provide them zoning commitments that could address the concerns raised by the Plan Commission. The Commissioners requested that the Plan Commission informally review the zoning commitments from the petitioner when they are available. This informal review would be by consensus, not a formal approval from the Commission. Staff will work with petitioner to develop the zoning commitments requested by the Commissioners.

Mr. Bilger stated that the petitioners for 19-W-SUB-8, a request for primary plat approval of a 1-lot subdivision proposed to be called Lance Acres had requested the item to be tabled until October. Mr. Wright stated that the Commission would act upon the request at that item in the agenda.

ADMINISTRATION OF THE OATH TO WITNESSES

Approximately 10 guests were sworn in by Ms. Boyd.

OLD BUSINESS

There was no old business.

NEW BUSINESS

1. 19-W-SUBD-7

Rex Larkin requested primary plat approval for a 1-lot subdivision, proposed to be called Larkin's Ridge, at 2767 W. Old Trail Road, Columbia City, IN 46725. Mr. Bilger summarized the Staff Report and stated that the proposal appeared to comply with the development standards of the Subdivision and Zoning Codes. Mr. Bilger stated that, in the event that the Plan Commission approves 19-W-SUBD-7, secondary plat approval should be delegated to Plan Commission staff.

Mr. Wright called the petitioner to the podium.

Rex Larkin, 2767 W. Old Trail Road, Columbia City, IN 46725, stated that he has owned the property for approximately 17 years. He has built a home on the property and has now decided to move. The property is approximately 61 acres, and his intent is to divide off approximately 5 acres and retain ownership of the remaining approximately 56 acres. The remaining 56 acres are currently being farmed under contract. The farmer and Mr. Larkin currently share use of the only driveway on the property, and shared usage of this driveway will be written into the new property owner's purchase agreement. Mr. Larkin explained that the reason for the split is that it is easier to sell a residential property that has less acreage, especially when the property includes a larger than average house. The property also includes a pole barn and a pond. Mr. Larkin further described the property and improvements.

Mr. Wright asked if there was anyone present who wished to speak regarding the petition.

Brent Drew, 1460 W. Old Trail Road, Columbia City, IN 46725, approached the podium to speak. He asked how many times the property could be subdivided.

Mr. Bilger reviewed the rules governing subdivisions in unincorporated Whitley County.

Mr. Drew stated that he does not understand the point of a subdivision given that new residents have already moved in to the residence on the property in question.

Mr. Bilger explained the reasoning behind requiring subdivision of the property in question.

Mr. Drew expressed concern about a legal drain that runs beneath the driveway of the property in question. Mr. Bilger explained that the legal drain easement is shown on the preliminary plat and would remain in effect.

Mr. Larkin stated, in response to Mr. Drew's comment that new residents have occupied the residence on the property in question, that the house has not yet been sold.

Mr. Wright asked if any Plan Commission members had questions for Mr. Larkin. Hearing none, Mr. Wright asked if there were any other individuals who wanted to speak regarding this petition. Hearing none, Mr. Wright closed the public hearing and asked if there were any questions or comments from Plan Commission members. There were none.

Mr. Woodmansee made a motion to approve 19-W-SUBD-7 with the condition that secondary plat approval be delegated to the Plan Commission Staff.

Mr. Johnson seconded, and the motion passed 8-0.

2. 19-W-SUBD-8

Mr. Wright asked for a motion to table 19-W-SUBD-8 until the October regular meeting of the Plan Commission, based on the request from the petitioners.

Ms. Deckard made a motion to table 19-W-SUBD-8 until the October regular meeting of the Plan Commission.

Mr. Wolf seconded and the motion passed 8-0.

3. 19-W-SUBD-9

Jared and Abigail English requested primary plat approval of a 1-lot subdivision proposed to be called English Enclave. The property is a replat of Lot 2, Engler Ridge subdivision, located in the AG district in Thorncreek Township on the east side of Etna Road, 2/3 mile south of 400 North (more commonly known as 3496 N. Etna Road, Columbia City, IN 46725), and contains 4.50 acres.

Mr. Bilger summarized the Staff Report and stated that the proposal appeared to comply with the development standards of the Subdivision and Zoning Ordinances. Mr. Bilger stated that, in the event that the Plan Commission approves 19-W-SUBD-9, secondary plat approval should be delegated to Plan Commission staff.

Ryan Peppler, 3490 N. Etna Road, Columbia City, IN 46725, approached the podium to speak on behalf of the petitioner. Mr. Peppler explained the intent of the petition to the Plan Commission and others present.

Mr. Wright asked if any Plan Commission members had questions for Mr. Peppler. Hearing none, Mr. Wright asked if there were any individuals who wanted to speak regarding this petition. Hearing none, Mr. Wright closed the public hearing and asked if there were any questions or comments from Plan Commission members. There were none.

Mr. Wolfe made a motion to approve 19-W-SUBD-9 with the condition that secondary plat approval be delegated to the Plan Commission Staff.

Ms. Deckard seconded and the motion passed 8-0.

4. 19-W-SUBD-10

Fleetwood Properties, LLC requested primary plat approval of a 2-lot subdivision proposed to be called Fleetwood Acres. The property is located in the AG district in Smith Township on the north side of 200 North, ½ mile west of State Road 205, immediately west of 4895 E. 200 North, and contains 6.00 acres.

Mr. Bilger summarized the Staff Report and stated that the proposal appeared to comply with the development standards of the Subdivision and Zoning Ordinances. Mr. Bilger stated that the original staff report has been corrected and that comments have been received by staff since the original staff report was disseminated.

Mr. Bilger provided the following suggested conditions of approval: the remainder acreage to the north of the plat should be combined with the petitioner's adjacent property to remain compliant with zoning ordinance road frontage requirements, that the permissible driveway location, as determined by the County Highway Department to be on the westernmost 100 feet of Lot 2, be shown on the plat, and that secondary plat approval should be delegated to Plan Commission staff.

Todd Fleetwood, 4895 E. 200 North, Columbia City, IN 46725, explained the intent of the petition to the Plan Commission and others present.

Mr. Wright asked if any Plan Commission members had questions for Mr. Fleetwood. Mr. Fleetwood and Plan Commission members discussed the intent of the petition.

Mr. Wright asked if there were any individuals who wanted to speak regarding this petition. Hearing none, Mr. Wright closed the public hearing and asked if there were any questions or comments from Plan Commission members. There were none.

Mr. Woodmansee made a motion to approve 19-W-SUBD-9 with the conditions that the remainder acreage to the north of the plat should be combined with the petitioner's adjacent property to remain compliant with zoning ordinance road frontage requirements, that the permissible driveway location, as determined by the County Highway Department to be on the westernmost 100 feet of Lot 2, be shown on the plat, and that secondary plat approval should be delegated to Plan Commission staff.

Mr. Hodges seconded and the motion passed 8-0.

5. 19-W-REZ-7

More Family Farms, Inc., requested an amendment to the Whitley County Zoning Map by reclassifying property from the AG (Agricultural) district to the AGP (Agricultural Production) district. The property is located on the west side of 500 East, ½ mile south of 400 South (more commonly known as 4380 S. 500 East, Columbia City, IN 46725) in Union Township.

Mr. Bilger summarized the Staff Report and reviewed the criteria to which the Plan Commission must pay reasonable regard when considering amendments to the zoning map. Mr. Bilger referenced two emails and one phone call from residents that expressed support for this rezoning petition.

Brian More, 6401 S. 500 East, Columbia City, IN 46725, provided a history of the More family's farm operation on the property in question. He then explained the intent of the petition to Plan Commission members and others present.

Mr. Wright asked Plan Commission members if they had any questions or comments for Mr. More. Hearing none, Mr. Wright asked if there were any individuals who wanted to speak regarding this petition. Hearing none, Mr. Wright closed the public hearing and asked if any Plan Commission members wanted to discuss the petition prior to a motion being presented. No plan commission members expressed an interest in discussing the petition further.

Mr. Woodmansee made a motion to send a favorable recommendation to the Whitley County Commissioners regarding 19-W-REZ-7. Mr. Wolf seconded the motion and it passed 8-0.

OTHER BUSINESS

Mr. Wright asked staff if there was any other business that should be attended to during the meeting. Mr. Bilger reminded the Commission that future discussion would take place regarding the potential creation of a new residential zoning district. Mr. Wright asked if action needed to be taken. Mr. Bilger stated that no action was necessary at this time.

ADJOURNMENT

Mr. Wright declared the meeting adjourned at approximately 7:53 P.M.